

ENTERED

September 17, 2019

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

POLAR PRO FILTERS INC.,

Plaintiff,

VS.

FROGSLAYER, LLC,

Defendant.

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CIVIL ACTION NO. H-19-1706

ORDER

Polar Pro Filters filed its response to FrogSlayer's motion to dismiss one day late. (Docket Entry 22). FrogSlayer opposed the motion and moves to strike the response because Polar Pro missed its deadline. (Docket Entry No. 23). Polar Pro moves for leave to consider its response despite the delay. (Docket Entry No. 24). Polar Pro argues that there will be no prejudice to FrogSlayer because FrogSlayer has already filed its reply; the one-day delay will not have an impact on the lawsuit; the reason for the delay was an inadvertent scheduling error; and that Polar Pro has acted in good faith. (*Id.* at 2-3).

Polar Pro's motion for leave to consider its response to FrogSlayer's motion to dismiss is granted. (Docket Entry No. 24). FrogSlayer's motion to strike is denied. (Docket Entry No. 23).

SIGNED on September 17, 2019, at Houston, Texas.



Lee H. Rosenthal
Chief United States District Judge